

NORTH PACIFIC COUNTY EMERGENCY MEDICAL SERVICES
Pacific County, Washington
January 1, 1989 Through December 31, 1992

Schedule Of Findings

1. North Pacific County Emergency Medical Services (NPCEMS) Should Enforce Covenants Of Contracts

NPCEMS has contracted with the Naselle Volunteer Fire Department, Inc., (a nonprofit corporation) to provide ambulance service in south Pacific County.

The agreement states in part:

... the CONTRACTOR (the Naselle Volunteer Fire Department, Inc.) desires to furnish such services within the specified area utilizing certified ambulance personnel with the support from its part-time, volunteer firefighters when required and an adequately equipped vehicle fleet consisting of two (2) ambulance/aid units (Emphasis provided.)

Our audit disclosed that the required ambulances are not provided by the Naselle Volunteer Fire Department, Inc. To the contrary, titles to the ambulances are actually in the name of the NPCEMS.

The agreement also states in part:

... WHEREAS, contracts such as this are authorized and provided for by the provisions of Chapters 36.01 and 39.34.

RCW 39.34.020 (Interlocal Cooperation Act) states in part:

... For the purposes of this chapter, the term "public agency" shall mean any agency, political subdivision, or unit of local government of this state including, but not limited to, municipal corporations, quasi municipal corporations, special purpose districts, and local service districts; any agency of the state government; any agency of the United States; any Indian tribe recognized as such by the federal government; and any political subdivision of another state

Although the NPCEMS entered into the agreement with the Association under the auspices of Chapter 39.34 RCW, we find no statutory authority for a municipal corporation to enter into an interlocal agreement with a nonprofit corporation under the color of the Interlocal Cooperation Act.

We recommend that NPCEMS enforce that portion of the agreement that requires the Naselle Volunteer Fire Department, Inc., to provide its own ambulances. We also recommend that the NPCEMS and the Naselle Volunteer Fire Department, Inc., revise the language of their agreement to exclude reference to Chapter 39.34 RCW.

2. North Pacific County Emergency Medical Services (NPCEMS) Should Deposit All Funds With The Pacific County Treasurer

During 1992 the NPCEMS accepted responsibility for the financial administration of the Raymond Ambulance Fund. The fund exists for the purpose of accepting unsolicited donations from private citizens in an effort to enhance ambulance service within a specific geographic area.

At the time that the NPCEMS accepted responsibility for the fund, the fund's bank account was moved from Raymond Federal to Harbor Community Bank. The latter account was established under the tax number of the NPCEMS. Accordingly, all moneys deposited to the account became public funds.

The NPCEMS Board believes that the Raymond Ambulance Fund is a private fund made up of private donations and, therefore, not subject to deposit with, or disbursement by, the Pacific County Treasurer or Auditor. Accordingly, all receipting and disbursement actions and authority has been retained by the board without oversight by the Pacific County Treasurer or Auditor. Further, fund actions taken have been outside of open public meetings which precludes public review of such transactions.

The NPCEMS is a consortium made up of five fire protection districts, and two cities, within Pacific County. Section 7 of the agreement creating the consortium states in part:

. . . The Pacific County Auditor shall make disbursements pursuant to policies adopted by the Administrative Board, and in accordance with *Revised Code of Washington* (RCW) 36.22.090.

RCW 36.22.090 states in part:

. . . All warrants for the payment of claims against . . . political subdivisions . . . shall be drawn and issued by the county auditor of the county wherein such subdivision is located upon such vouchers properly approved by the governing body thereof

We recommend that the NPCEMS Board deposit all Raymond Ambulance Fund moneys with the Pacific County Treasurer for disbursement only by the Pacific County Auditor. In the alternative we recommend that the NPCEMS Board establish the Raymond Ambulance Fund as a nonprofit entity, complete with its own tax identification number, and that any donors thereto be made clearly aware that donations are for a nonprofit purpose and are not subject to public audit.